

Town of Nolensville
Board of Mayor and Alderman Meeting
Date: May 4, 2006, Time 7:00 p.m.
Nolensville Elementary School

Vice-Mayor Jimmy Alexander opened the meeting at 7:03 p.m. Members present were Vice-Mayor Alexander, Aldermen Joe Curtsinger, Larry Felts and Beth Weaver-Lothers. Staff present: Counsel Robert Notestine, Town planner Henry Laird, Town Engineer Rich Woodroof and Recorder Cindy Lancaster. There were 32 citizens present.

Mr. Willis Wells led the prayer and pledge.

Citizens Input:

Mr. Bobby Wesson, 1202 Countryside Road, stated that he was here to express concern that the quality of life in the Town of Nolensville has hit the lowest of low. He noted that the definition of the quality of life is everyone getting along. There has been a lot of ill will and asked the audience how are we going to put an end to it. The meeting at the end of March demonstrated the process to be complicated, with the big issue before the town is how to manage growth. He asked for the audience opinion on their definition of growth. He stated that he felt that their answer would be that growth is what happened after we moved here. Everyone lives on something that use to be pastureland. We are all part of the growth. Mr. Wesson's final statement was let's work together and solve our problems.

Sharon Zieman, Tulluss Road, thanked everyone that voted for her in the recent primary election. She stated that she is part of the Williamson County Comprehensive Committee and this group will be meeting on May 24, at 7:00 p.m. in the Administrative Complex, and invited everyone to attend. She distributed to the board a cover letter that was stamped draft copy.

Mr. Alfred Bennett noted that only relationships with honor would last. He noted that when he goes to the county he enjoys this visit due to everyone showing honor. He stated that we need to do this also.

Mr. Harold Shaffer, 2030 Williams Road, asked if Rocky Fork Road is going to be connected, and if so what stage of the process are we in and is the state going to build the bridge. He further inquired about grants and financial assistance. His opinion is that this should be pushed forward.

Engineer Woodroof stated that the town would build the bridge. The plans for the road and bridge have been approved. The state has indicated that the town should meet the criteria to install the traffic signal this year.

Alderman Curtsinger made a motion to approve the minutes from the regular meeting of April 6, and the special meeting of April 24, Alderman Weaver-Lothers seconded. The

minutes were approved unanimously.

Vice-Mayor Alexander made a motion to approve the treasurer's report, Alderman Felt's seconded. Recorder Lancaster stated that the treasurer's report was before the board. Alderman Curtsinger inquired about the treasurer's report with focusing on facilities tax and the appearance of trickery. After discussion, the treasurer's report was unanimously approved.

Committee reports:

Mr. Willis Wells reported for the Planning Commission.

- Noted two public hearings had been held for the subdivision regulations
- People's State Bank site plan was approved
- Bent Creek final revision was passed unanimously
- One way sign for Clovercroft Road was postponed
- Monthly bond report was reviewed

Ms. Betty Friedlander reported for the Historic Commission.

- Noted there was not a meeting
- Parts of the zoning ordinance were omitted that should have changed areas in regards to Historical Commission
- Submitted the corrections to town attorney

Chief Presley Hughes reported for the Nolensville Volunteer Fire Department.

- Assisted Eagle Scout in obtaining badge
- Had 23 participants in a recent course

Rich Woodroof reported for the Code's Department

- Completed 284 building inspections
- 15 new residential permits issued
- 1 commercial permit issued
- Worked with County Highway Department reviewing roads

Chief Paul Rigsby reported for the Police Department

- A written report was submitted
- New uniforms are in and being used
- Cars from Fairview to be in soon

Vice-Mayor Alexander reported for the Public Works Department

- A written report was submitted to the board

Mayor's report:

Vice-Mayor Alexander noted that due to Mayor Dugger's absence this portion would be omitted.

Public hearing on ordinance 06-09, an ordinance to amend zoning ordinance #04-09, to address firework sales opened at 7:40 p.m. Vice-Mayor Alexander briefly described this ordinance and asked for public comment. There was no public comment, and the public hearing closed at 7:41.

Public hearing on ordinance 06-10, an ordinance to amend the zoning ordinance #04-09, to address expiration of grading permits opened at 7:41 p.m. Vice-Mayor Alexander briefly described this ordinance and asked for public comment. There was no public comment. Alderman Lothers asked for clarification in regards to the substantial amount of time given to contractors. Engineer Woodroof stated that he felt it was ample time and if they did not comply he would not allow them to move forward. Alderman Lothers noted that she wanted to make sure there was enough "teeth" in the ordinance to keep the permit holders in compliance. The public hearing closed at 7:43.

Public hearing on ordinance 06-11, an ordinance to adopt a budget for fiscal year 2006-07 for the Town of Nolensville opened at 7:43 p.m. Vice-Mayor Alexander noted that the budget sub-committee had met several times, including the heads of the various departments. He further noted that a positive budget was being submitted.

Mr. Larry Gardner asked if anyone had considered the hiring of a city manager. Vice-Mayor Alexander stated that this was discussed and it was determined through studies that the population on most municipalities is 10,000. The committee feels that the Town of Nolensville is not quite at this stage. Counsel Notestine noted that the town is a Mayor-Aldermanic form of government and this form of government calls for a city administrator. The town is not a City Manager form of government.

Mr. Frank Wilson noted that Fairview has a city manager. Mr. Notestine noted that they have that form of government.

Fire Chief Hughes noted that last month he distributed figures that indicated justification for the fire departments budget request. He noted that when he met with the subcommittee he asked for their input in regards to areas that could be cut from the requested funds. No response was made. He noted that calls within the town limits are up 95%. He noted that he had requested for a 30% increase in the salaries for the fire department. He further stated that any cuts that would be made would be shown through equipment purchases.

Alderman Lothers inquired about the line item for communication. He noted that the key

to a fire department is communication and the third quarter this line item is at 75%. Alderman Lothers asked where the overage is placed when the department is under budget. Chief Hughes stated that it goes into an account and that is how they purchased the new fire truck. Chief Hughes noted that the department attempts to purchase six new uniforms a year.

Alderman Curtsinger asked if the \$47,000 the town had budgeted would come from facilities tax. It was noted that it would come from the facilities tax.

Vice-Mayor Alexander asked what the county did on the department's budget request. Chief Hughes stated that the budget sub-committee had zero increase, although there would be an increase for insurance and fuel cost. He noted that the department was anticipating an approximate \$4,000 increase from the county.

Alderman Felts asked for clarification in regards to the fire departments request. He noted that the fire department had made a request of \$64,902. In the town budget expense line item for the fire department it indicates \$65,000. Chief Hughes stated that it is still \$18,000 short, due to the fire department budget not receiving this funding.

Police Chief Rigsby stated that he had requested two officers for the fiscal year 06-07. One to begin in July 06, and the other to begin in January 07. He noted that the sub-committee recommended one officer to begin in January. He ask that the board review this request to initiate a new officer in July and omit the January officer.

Mr. Wells, budget sub-committee member, noted that there were several cuts that were made across the board. If funds could be earmarked and taken from Facilities Tax that would be an option to review.

Alderman Felts stated that he commended the budget sub-committee. He noted that he has been on this committee in years past and he realized what this group is up against and know they have worked hard.

Alderman Lothers stated that she noticed we are looking to increase the website line item. She noted that Mr. Lenderman has done a wonderful job with this site, but the town may want to review bids for this work. The board agreed that this should be reviewed.

Alderman Curtsinger stated that it appears the facilities tax is continuously covered up. The revenues are up 118%. You see this continuously throughout the budget. When this is broken out, we are burning more and more on expenditures. He noted there is a \$40,000 transfer from State Street Aid to General Fund. Alderman Curtsinger stated that the town does not have a plan for the facilities tax money. The time is here for a financial planner.

Alderman Lothers noted that she met with Recorder Lancaster in addition to a community member who is willing to work with her to separate the funding.

The public hearing ended at 8:12 p.m.

Vice-Mayor Alexander asked the board to read Resolution 06-07, to adopt a Plan of Service prior to reading Ordinance #06-05. The board agreed to move agenda item 14. Reading of Resolution #06-07, a resolution to adopt a Plan of Service for the annexation of Burkitt Place Development. Counsel Notestine briefly described this resolution. Alderman Felts made a motion to approve this Resolution, Vice-Mayor Alexander seconded and this passed unanimously.

Second reading of Ordinance #06-05, an ordinance to annex certain territory east of current corporate boundaries known as Burkitt Place Development and to incorporate same within the corporate boundaries of the Town of Nolensville. Vice-Mayor Alexander noted that this is approximately 30 acres and is considered a friendly annexation. Alderman Felts made a motion to pass this ordinance on second reading, Vice-Mayor Alexander seconded and this passed unanimously.

Second reading of Ordinance #06-07, an ordinance to amend the zoning ordinance #04-09, of the Town of Nolensville to address landscape design. Vice-Mayor Alexander stated that staff has worked with Heibert and Associates Architecture firm. Alderman Lothers inquired about preserving trees that are 12" in diameter. Her concern is that 12" is a rather large tree and would like to find a way to strengthen this ordinance to preserve trees of that size. Vice-Mayor Alexander made a motion to approve this ordinance, Alderman Curtsinger seconded and this passed unanimously.

Second reading of Ordinance #06-08, an ordinance to amend fees in regards to building permits and firework sales. Vice-Mayor Alexander briefly described this ordinance. Vice-Mayor Alexander made a motion to approve this ordinance, Alderman Lothers seconded. Alderman Curtsinger noted that he did not feel there was anyway that the fee schedule could be monitored. He noted that the fee would be based upon the figures they report. Alderman Felts asked if the fees were changed to reflect the amendment from last month. It was noted that this was done. The vote was taken and this Ordinance passed on second reading unanimously.

Reading of Resolution #06-07, a Resolution to dedicate a newly constructed road, extending Sam Donald Road. Counsel Notestine briefly described this resolution. Vice-Mayor Alexander made a motion to approve this Resolution, Alderman Felts seconded. Alderman Curtsinger noted that the Planning Commission accepted this as a package and he did not feel that the roads should be approved individually.

Alderman Lothers asked Engineer Woodroof how would the town be hurt by not approving Sam Donald Road and Clovercroft extension together. Engineer Woodroof stated that he understood what Alderman Curtsinger's concerns are, but by allowing this to be approved signs could be installed and laws could be enforced on this road. He further noted that bonds are on these roads individually, in addition to separate plans and construction drawings. Counsel Notestine stated that currently it is a private road, when

the town accepts this road it is covered under the town's insurance.

Alderman Curtsinger stated that the key to approval was for Mr. Cates to perform certain task that have not been completed. He stated that the board should not approve this resolution.

Mr. Frank Wilson stated that a hydrologist came to this location on Monday and it will take sometime for everything to get completed. A report will be compiled, and once this is done a professional appraiser will come in to solve his problem.

Alderman Curtsinger noted that he understands that Mr. Wilson and Mr. Cates issue is a personal one, although his concern is the dip in the road that continuously holds water.

Counsel Notestine stated that he is concerned that there is a pole erected with no sign. If there is no sign the pole needs to come down.

Ms. Sullivan (from the audience) stated that if that is a private road who would get sued, the town or the contractor? Additionally, if it is a private road, why are citizens allowed to use this road?

Alderman Felts noted that his concern is if the developer wanted to close the road he could do so, although the people living on Sam Donald Road would not be able to access Nolensville Road via Sam Donald Road.

Counsel Notestine noted the town needs to stay away from hazardous conditions.

Mr. Larry Gardner (from the audience) injected that he encouraged the board to accept this portion of Sam Donald Road. The town can shut this road down if the developer does not perform as agreed.

Engineer Woodroof stated that there are bonds on both roads. The developer had a filter ring on this and hopefully this will help the water that stands in the road. It has been inspected and appears to be built correctly.

Mr. Wilson noted that the ring has been removed and he has had 4" of water in his front yard since the removal.

Alderman Felts noted that the New Clovercroft Road was the biggest driving force and not Sam Donald. He noted that Alderman Curtsinger was very vocal on that issue at that time.

A member from the audience asked for clarification in regards to the roads in addition, to a timeframe for completion.

Counsel Notestine noted that there is private conflict currently with the landowner and the developer. This does not involve the town.

Mr. Alfred Bennett (from the audience) noted that Rocky Fork Road does not have an area to pull off. He noted that now we have a brand new road with no right of way, or an area to pull off. Engineer Woodroof stated there is 3' on Sam Donald, although there is not on Clovercroft Road.

The vote was taken with Vice-Mayor Alexander, Aldermen Felts and Lothers for, and Alderman Curtsinger against. This resolution passed with majority vote.

With no further business, Vice-Mayor Alexander made a motion to adjourn, Alderman Felts seconded, and the meeting was adjourned at 8:49 p.m.

Respectfully submitted,

Approved,

Cindy Lancaster
Town Recorder

Walter T. Dugger, III
Mayor